

# Wal-Mart Stores Inc.

## Fax Coversheet

**Date:** 12/29/21

**From:**

**Email:**

**To:**

**Fax:** 4792775991

**Subject:** STORE: isp.s01061.us

**Notes:** Confidential Wal-Mart Stores, Inc.

This fax and any files transmitted with it are CONFIDENTIAL and intended solely for the individual or entity to whom they are addressed. If you have received this in error please destroy it immediately.



## Email/Fax Coversheet

To: Legal Department/ Central Intake

Contact Name: Joshua Lake

Date: 12-29-2021

Store or Club Number: 1061

Fax: 479-277-5991

Date Received: 12-29-2021

Email: Legal@walmartlegal.com

Total Pages: 30

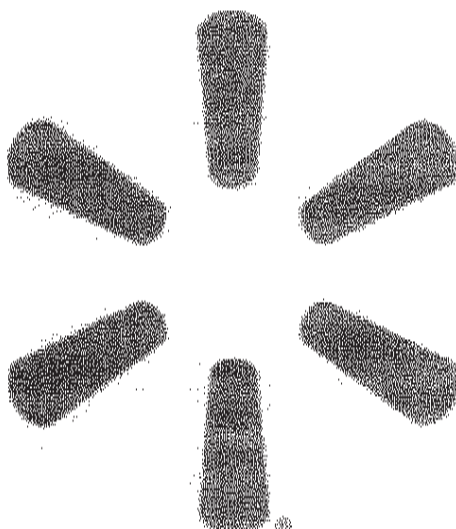
Phone: 479-273-4505

Hearing Date: \_\_\_\_\_

*Instructions: Fax or email documents with coversheet to the Legal Department, make a copy for your records and mail in the originals to Walmart Legal Department 702 SW 8<sup>th</sup> Street, Bentonville, AR 72716-0215. If you have any questions, please call the Legal Department Operator at 479-273-4505.*

Store Comments:

1 of 4



## SHERIFF'S ENTRY OF SERVICE

Civil Action No. STV2021000035

Date Filed 12/23/21 10:21 PM

Attorney's Address Cary, Tracy W  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, ALABAMA 35244

Name and Address of Party to be Served.

Lake, Joshua

Walmart, 136 East Jarman Street

Hazlehurst, GEORGIA 31539

Superior Court ☐

State Court ☒

Juvenile Court ☐

Magistrate Court ☐

Probate Court ☐

Georgia, JEFF DAVIS COUNTY

Asodi, Mike

Plaintiff

VS.

Lake, Joshua; Walmart, Inc.: Walmart Stores, Inc.: Walmart

Stores East, LP

Defendant

Garnishee

## SHERIFF'S ENTRY OF SERVICE

PERSONAL

☒ I have this day served the defendant Joshua Lake personally with a copy of the within action and summons.

NOTORIOUS

☐ I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

CORPORATION

☐ Served the defendant \_\_\_\_\_ a corporation  
by leaving a copy of the within action and summons with \_\_\_\_\_  
in charge of the office and place of doing business of said Corporation in the County.

TACK & MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the United States Mail, first class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant not to be found in the jurisdiction of this court.

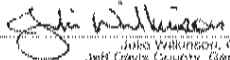
This 29 day of Dec, 2021

[Signature]  
Deputy

STATE COURT OF JEFF DAVIS COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK OF STATE COURT  
JEFF DAVIS COUNTY, GEORGIA  
**STV2021000035**

DEC 23, 2021 10:21 PM

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

CIVIL ACTION NUMBER STV2021000035

Asodi, Mike

**PLAINTIFF**

VS.

Lake, Joshua  
Walmart, Inc.  
Walmart Stores, Inc.  
Walmart Stores East, LP

**DEFENDANTS**

**SUMMONS**

TO: LAKE, JOSHUA

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Tracy W Cary  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, Alabama 35244

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 23rd day of December, 2021.

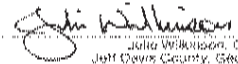
Clerk of State Court

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

STATE COURT OF JEFF DAVIS COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK OF STATE COURT  
JEFF DAVIS COUNTY, GEORGIA  
**STV2021000035**

DEC 23, 2021 10:21 PM

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

CIVIL ACTION NUMBER STV2021000035

Asodi, Mike

PLAINTIFF

VS.

Lake, Joshua  
Walmart, Inc.  
Walmart Stores, Inc.  
Walmart Stores East, LP

DEFENDANTS

SUMMONS

TO: WALMART, INC.,

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Tracy W Cary  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, Alabama 35244

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 23rd day of December, 2021.

Clerk of State Court

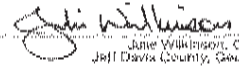


Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

STATE COURT OF JEFF DAVIS COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK OF STATE COURT  
JEFF DAVIS COUNTY, GEORGIA  
**STV2021000035**

DEC 23, 2021 10:21 PM

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

CIVIL ACTION NUMBER STV2021000035

Asodi, Mike

PLAINTIFF

VS.

Lake, Joshua  
Walmart, Inc.  
Walmart Stores, Inc.  
Walmart Stores East, LP

DEFENDANTS

SUMMONS

TO: WALMART STORES, INC.

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Tracy W Cary  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, Alabama 35244

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 23rd day of December, 2021.

Clerk of State Court

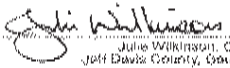


Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

STATE COURT OF JEFF DAVIS COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK OF STATE COURT  
JEFF DAVIS COUNTY, GEORGIA  
**STV2021000035**

DEC 23, 2021 10:21 PM

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

CIVIL ACTION NUMBER STV2021000035

Asodi, Mike

**PLAINTIFF**

**VS.**

Lake, Joshua  
Walmart, Inc.  
Walmart Stores, Inc.  
Walmart Stores East, LP

**DEFENDANTS**

**SUMMONS**

TO: WALMART STORES EAST, LP

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Tracy W Cary  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, Alabama 35244

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 23rd day of December, 2021.

Clerk of State Court

  
Julie Wilkinson, Clerk  
Jeff Davis County, Georgia

FILED IN OFFICE  
 CLERK OF STATE COURT  
 JEFF DAVIS COUNTY, GEORGIA  
**STV2021000035**

IN THE STATE COURT OF JEFF DAVIS COUNTY  
 STATE OF GEORGIA

DEC 23, 2021 10:21 PM

*Julia Wilkinson*  
 Julia Wilkinson, Clerk  
 Jeff Davis County, Georgia

MIKE ASODI,

Plaintiff,

v.

JOSHUA LAKE,  
 WALMART, INC.,  
 WALMART STORES, INC.,  
 WALMART STORES EAST, LP,

Defendants.

Civil Action File No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Mike Asodi hereby files this Complaint against Defendants Joshua Lake, Walmart Stores, Inc., Walmart, Inc. and Walmart Stores East, LP.

1.

Plaintiff Mike Asodi is an adult resident and citizen of Dothan, Houston County, Alabama, and was injured when he slipped and fell on a foreign object allowed to be on a wet floor in the Defendants' store Supercenter #1061 in Hazlehurst, Jeff Davis County, Georgia, on January 3, 2020.

2.

Upon information and belief, Defendants Walmart Stores, Inc., Walmart, Inc., and Walmart Stores East, LP are foreign corporate entities which do business at, and may be served at the Supercenter #1061, 136 East Jarman Street, Hazlehurst, GA 31539. Defendants are subject to the jurisdiction and venue of this Court.

3.

Upon information and belief, the Defendant Joshua Lake is an adult resident and citizen of the State of Georgia who is the general manager of the Walmart Supercenter #1061 in Hazlehurst, Jeff Davis County, Georgia, at all times material hereto and may be served at the Walmart Supercenter #1061, 136 East Jarman Street, Hazlehurst, GA 31539. Defendant Lake owed a duty to Plaintiff to keep the floors in a reasonably safe condition and to ensure the Defendant Walmart's policies and procedures were followed, for the safety of customers and employees. Defendant is subject to the jurisdiction and venue of this Court.



4.

The incident which forms the basis of this complaint occurred at the Defendants' premises located at or near Supercenter #1061, 136 East Jarman Street, Hazlehurst, Jeff Davis County, Georgia on January 3, 2020.

5.

Venue is appropriate in this Court based on O.C.G.A. § 14-2-510(b)(3) because the cause of action originated in Jeff Davis County, Georgia and the Defendants have an office in Jeff Davis County and transact business there.

6.

The amount in controversy, exclusive of attorney fees and costs, exceeds the minimum jurisdictional requirements of this Court.

**COUNT ONE**  
**(Negligence)**

7.

On January 3, 2020, Plaintiff Mike Asodi was an invitee of Defendants Walmart Stores, Inc., Walmart, Inc., and/or Walmart Stores East, LP and Defendant Lake ("Defendants") at the Defendants' premises located in Hazlehurst, Jeff Davis County, Georgia.

8.

While on Defendants' premises, Plaintiff fell and was injured after slipping on a placemat on a wet floor of the store.

9.

The placemat on the wet floor of Defendants' premises caused the floor to be in a defective and unreasonably dangerous condition.

10.

The unreasonably dangerous condition of the floor was caused by the negligence, carelessness, and unskillfulness of employees or agents of Defendants while acting in the line and scope of their duty.

11.

Pursuant to O.C.G.A. § 51-2-2, Defendants are responsible for the negligent acts and omissions of their employees which occurred in the line and scope of the employees' employment.

12.

Employees or agents of Defendants negligently maintained, inspected, and/or caused the unreasonably dangerous condition of the floor.

13.

Employees or agents of Defendants and/or Defendant Lake owed Plaintiff the duty to keep the floors in a reasonably safe condition and to ensure the Defendant Walmart's policies and procedures were followed, for the safety of customers and employees.

14.

The unreasonably dangerous condition of the floor had existed for such an unreasonable length of time that employees or agents of Defendants knew or should have known of the condition and been on notice of the condition's existence prior to the incident involving Plaintiff.

15.

At all times material to this action, Defendants owed members of the public who came upon its premises, including Plaintiff, a duty to exercise ordinary care in keeping its premises safe, to warn of the existence of any hazards on its premises, and to remove any hazards that existed on its premises.

16.

At the time of the incident, Plaintiff fell even though he exercised ordinary care for his own personal safety because he lacked knowledge of the hazard created due to Defendants' actions or inactions.

17.

Employees or agents of Defendants negligently failed to warn Plaintiff of the unreasonably dangerous condition of the floor prior to the incident.

18.

The Defendants breached these duties by causing or allowing a dangerous condition to exist, to-wit, they allowed a placemat to remain on a wet floor in the Walmart Supercenter, which created a slick and dangerous surface on the floor.

19.

Employees or agents of Defendants created or allowed the unreasonably dangerous condition of the floor so notice to Defendants is presumed by law.

20.

As a proximate result of the negligence of employees or agents of Defendants, Plaintiff suffered physical injuries resulting in medical treatment, medical expenses, pain, mental anguish, loss of enjoyment of life, permanent impairment, lost wages and other damages.

21.

As a proximate result of the negligence of employees or agents of Defendants, Plaintiff suffered physical injuries to his right knee, low back, right hip and right shoulder.

22.

As a proximate result of the negligence of employees or agents of Defendants, Plaintiff incurred medical expenses from the following healthcare providers for the treatment of his injuries:

MEDICAL SPECIALS OF MIKE ASODI  
DATE OF INJURY JANUARY 3, 2020

PROVIDER OF SERVICE AMOUNT

Hughston Clinic	\$21,382.00
Memorial HealthCare Center	\$194.00
Radiology Associates	\$101.00
Coffee Regional Medical Center	\$1,182.00
Coffee Emergency Group	\$1,416.00
Russell County Community Hospital	\$19,528.27
AMSOL Anesthesiologists of Georgia	\$2,838.00
At Home Medical	\$100.00
TOTAL	\$46,741.27

Plaintiff will timely amend this Complaint with any additional medical expenses prior to trial.

23.

Plaintiff is entitled to recover from Defendants the amount of his special damages which equal or exceed \$46,741.27, plus an amount which in the enlightened conscience of an impartial jury would compensate him for his injuries, lost wages, pain and suffering, and his diminished enjoyment of life and all other damages as allowed by Georgia law.

**WHEREFORE**, Plaintiff requests the following:

- a. That process issue requiring the Defendants to answer according to law;
- b. That Plaintiff have judgment against the Defendants for the amount of all his medical bills, all related medical expenses, and other out of pocket expenses due to Defendants' negligence;
- c. That Plaintiff have judgment against the Defendants for general damages to fully compensate him for his injuries, his pain and suffering, his physical impairment and diminished enjoyment of life, all as determined by the fair and enlightened conscience of the jury;
- d. That Plaintiff be awarded a trial by jury; and
- e. That Plaintiff be awarded any and all other such relief as this Court deems just and equitable, including all costs which are taxable under Georgia law.
- f. Plaintiff specifically avails himself to any and all measures of damages, in category and kind, allowed under Georgia law, whether statutory or at common law, and nothing in this pleading should serve to limit that plea for relief.

Respectfully submitted on this the 23<sup>rd</sup> day of December, 2021.

ALABAMA PERSONAL INJURY LAWYERS, LLC

/s/ Tracy W. Cary  
TRACY W. CARY  
Georgia Bar No. 114985  
Attorney for Plaintiff  
1 Chase Corporate Drive, Suite 400  
Birmingham, AL 35244  
205-855-2745 Tel  
334-834-8321 Fax

**JURY DEMAND**

Plaintiff hereby demands a jury trial.

/s/ Tracy W. Cary  
Tracy W. Cary

## General Civil and Domestic Relations Case Filing Information Form

FILED IN OFFICE

CLERK OF STATE COURT  
JEFF DAVIS COUNTY, GEORGIA☐ Superior or ☒ State Court of Jeff Davis County

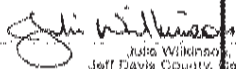
STV2021000035

DEC 23, 2021 10:21 PM

## For Clerk Use Only

Date Filed \_\_\_\_\_  
MM-DD-YYYY

Case Number \_\_\_\_\_

  
Julie Wilkins, Clerk  
Jeff Davis County, Georgia

## Plaintiff(s)

Asodi Mike

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

## Defendant(s)

Lake Joshua

Last First Middle I. Suffix Prefix

Walmart Stores East, LP

Last First Middle I. Suffix Prefix

Walmart, Inc.

Last First Middle I. Suffix Prefix

Walmart Stores, Inc.

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Tracy W Cary

Bar Number 114985

Self-Represented ☐

## Check One Case Type in One Box

## General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Garnishment
- ☒ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

## Domestic Relations Cases

- ☐ Adoption
- ☐ Dissolution/Divorce/Separate Maintenance
- ☐ Family Violence Petition
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

## Post-Judgment – Check One Case Type

- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Modification
- ☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.
- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. \_\_\_\_\_  
Language(s) Required
- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**SHERIFF'S ENTRY OF SERVICE**Civil Action No. STV2021000035Superior Court ☐  
State Court ☒  
Juvenile Court ☐Magistrate Court ☐  
Probate Court ☐Date Filed 12/23/21 10:21 PMGeorgia, JEFF DAVIS COUNTYAttorney's Address Cary, Tracy W  
Tracy Wayne Cary  
1 Chase Corporate Drive  
Suite 400  
Birmingham, ALABAMA 35244Asodi, Mike

Plaintiff

Name and Address of Party to be Served.

Lake, JoshuaVS.  
Lake, Joshua; Walmart, Inc.; Walmart Stores, Inc.; WalmartStores East, LP

Defendant

Walmart, 136 East Jacinan StreetHazelhurst, GEORGIA 31539

Garnishee

**SHERIFF'S ENTRY OF SERVICE**

PERSONAL

☒ I have this day served the defendant Joshua Lake personally with a copy of the within action and summons.

NOTORIOUS

☐ I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.☐ Delivered same into hands of \_\_\_\_\_ described as follows: age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

CORPORATION

☐ Served the defendant \_\_\_\_\_ a corporation by leaving a copy of the within action and summons with \_\_\_\_\_ in charge of the office and place of doing business of said Corporation in the County.

TACK &amp; MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the United States Mail, first class in an envelope properly address to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant not to be found in the jurisdiction of this court.This 21 day of DEC, 20 21[Signature]  
Deputy







**Fourth Defense**

Pending additional investigation and discovery, Defendants state that Plaintiff's alleged injuries and damages were caused or contributed to by Plaintiff's actions.

**Fifth Defense**

Defendants deny that Defendants or Defendants' agents or employees were negligent in any way in connection with the incident which is the subject of this litigation.

**Sixth Defense**

Defendants breached no duty owed to Plaintiff.

**Seventh Defense**

Plaintiff may not recover against Defendants because no act or omission of Defendants was the legal cause or the proximate precipitating cause of Plaintiff's alleged injuries and damages.

**Eighth Defense**

Pending further investigation and discovery, Defendants assert the defenses of contributory and comparative negligence.

**Ninth Defense**

Plaintiff may not recover against Defendants due to Plaintiff's equal or superior knowledge of any condition which he alleges resulted in this event.

**Tenth Defense**

Plaintiff failed to exercise ordinary care for his own safety.

**Eleventh Defense**

Defendants deny any and all allegations regarding negligent inspection and failure to warn.

**Twelfth Defense**

Plaintiff is not entitled to any special damages to the extent that Plaintiff has failed to specifically plead them in accordance with O.C.G.A. § 9-11-9(g).

**Thirteenth Defense**

Plaintiff is not entitled to attorney's fees, expenses, post-judgment interest, or pre-judgment interest under the facts of this case. Further, Defendants preserve all rights against Plaintiff to the extent these claims are asserted without any justifiable basis in fact or law. If Plaintiff's claims are determined to be false or fraudulent, Defendants reserve the right to seek all sanctions against all persons allowed by law.

**Fourteenth Defense**

Pending further investigation and discovery, Defendants reserve the right to assert all affirmative defenses available under the Georgia Civil Practice Act.

**Fifteenth Defense**

In answer to the specific allegations of Plaintiff's Complaint, Defendants show the Court as follows:

1. In response to the allegations contained in Paragraph 1 of Plaintiff's Complaint, at this time, Defendants are without knowledge or information sufficient to form a belief as to whether or not Plaintiff is a resident and citizen of Dothan, Houston County, Alabama. With regard to the remainder of Paragraph 1, Defendants deny any allegations of negligence.

2. In response to the allegations contained in Paragraph 2 of Plaintiff's Complaint, Defendants admit only that the entities listed therein are foreign entities and that Walmart Stores East, LP does transact business in Hazlehurst, Georgia and is subject to the jurisdiction of this

court, and may be subject to the jurisdiction of other courts as well. The remainder of the allegations contained in Paragraph 2 are denied, as pled.

3. In response to the allegations contained in Paragraph 3 of Plaintiff's Complaint, Defendants admit that Defendant Lake is an adult resident of the State of Georgia and that he may be served at the address listed in this Paragraph. Defendants deny the remainder of the allegations contained in Paragraph 3, as pled.

4. At this time, Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 4 of Plaintiff's Complaint.

5. In response to the allegations contained in Paragraph 5 of Plaintiff's Complaint, Defendants admit only that Walmart Stores East, LP transact business in Jeff Davis County. The remainder of the allegations on this Paragraph are denied, as pled.

6. In response to the allegations contained in Paragraph 6 of Plaintiff's Complaint, Defendants admit only that the amount in controversy alleged by Plaintiff meets any jurisdictional requirements of this, and other, Courts. Any remaining allegations in this Paragraph are denied and Defendants deny any inference or allegation of liability.

### **COUNT ONE**

#### **(Negligence)**

7. At this time, Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations Contained in Paragraph 7 of Plaintiff's Complaint. Defendants show that Walmart, Inc. and Walmart Store Inc., was not involved in the day-to-day operation of the Walmart store at issue. While Defendants deny liability, Defendants state that Wal-Mart Stores East, LP was the entity involved in the day-to-day operation of the

Walmart store at issue. Defendants request that Plaintiff voluntarily dismiss Walmart, Inc., and Walmart Stores Inc.

8. At this time, Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations Contained in Paragraph 8 of Plaintiff's Complaint. Defendants deny any allegation or implication of negligence or liability.

9. The allegations contained in Paragraph 9 of Plaintiff's Complaint are denied.

10. The allegations contained in Paragraph 10 of Plaintiff's Complaint are denied.

11. The allegations contained in Paragraph 11 of Plaintiff's Complaint are denied.

12. The allegations contained in Paragraph 12 of Plaintiff's Complaint are denied.

13. The allegations contained in Paragraph 13 of Plaintiff's Complaint call for the Defendants to reach a conclusion of law in forming a response and, as such, no response is required. However, Defendants deny that any duties which may have been owed were breached. Defendants deny any inference or allegation of liability and negligence.

14. The allegations contained in Paragraph 14 of Plaintiff's Complaint are denied.

15. The allegations contained in Paragraph 15 of Plaintiff's Complaint call for the Defendants to reach a conclusion of law in forming a response and, as such, no response is required. However, Defendants deny that any duties which may have been owed were breached. Defendants deny any inference or allegation of liability and negligence.

16. The allegations contained in Paragraph 16 of Plaintiff's Complaint are denied, as pled.

17. The allegations contained in Paragraph 17 of Plaintiff's Complaint are denied, as pled.

18. The allegations contained in Paragraph 18 of Plaintiff's Complaint are denied.

19. The allegations contained in Paragraph 19 of Plaintiff's Complaint are denied.

20. The allegations contained in Paragraph 20 of Plaintiff's Complaint are denied.

21. The allegations contained in Paragraph 21 of Plaintiff's Complaint are denied.

22. The allegations contained in Paragraph 22 of Plaintiff's Complaint are denied.

23. The allegations contained in Paragraph 23 of Plaintiff's Complaint are denied.

24. Defendants deny that Plaintiff is entitled to the relief requested by him in his Prayers for Relief, and the subparts thereto.

25. Any remaining allegations which have not been admitted, denied, or otherwise responded to are hereby denied.

**DEFENDANTS HEREBY DEMAND TRIAL BY JURY OF TWELVE  
REGARDING ANY ISSUES NOT SUBJECT TO SUMMARY ADJUDICATION.**

Having fully answered, Defendants pray that they be discharged with all costs cast against Plaintiff.

Respectfully submitted, this 28<sup>th</sup> day of January, 2022.

**DREW, ECKL & FARNHAM, LLP**

*/s/ Garret W. Meader*

---

Garret W. Meader  
Georgia Bar No. 142402  
Ann H. Searcy  
Georgia Bar No. 633302  
*Attorneys for Defendants*

777 Gloucester Street, Suite 305  
Brunswick, Georgia 31520  
(912) 280-9662  
[Meaderg@deflaw.com](mailto:Meaderg@deflaw.com)  
[Searcy@deflaw.com](mailto:Searcy@deflaw.com)

**CERTIFICATE OF SERVICE**

This is to certify that I have this day forwarded, via United States Mail, postage prepaid, and statutory electronic service via filing with the Court's electronic filing system a true and correct copy of the foregoing *Answer and Defenses to Plaintiff's Complaint* to the following counsel of record, addressed as follows:

TRACY W. CARY  
1 Chase Corporate Drive, Suite 400  
Birmingham, AL 35244

This 28<sup>th</sup> day of January, 2022.

**DREW, ECKL & FARNHAM, LLP**

*/s/ Garret W. Meader*

---

Garret W. Meader  
Georgia Bar No. 142402  
Ann H. Searcy  
Georgia Bar No. 633302  
*Attorneys for Defendants*

777 Gloucester Street, Suite 305  
Brunswick, Georgia 31520  
(912) 280-9662  
[Meaderg@deflaw.com](mailto:Meaderg@deflaw.com)  
[Searcya@deflaw.com](mailto:Searcya@deflaw.com)